

STATEMENT OF FACTS
IN SUPPORT OF FILING
UNDER 37 CFR 1.47 (a)

THE PATENT ACT 1952
37 CODE OF FEDERAL REGULATIONS Part 1

IN THE MATTER OF
United States Patent Application Serial No. 09/423,484
National Phase of International Patent Application No CT/GB98/01155
Inventors: David John Aarons and John Mullenger
Assignee: David John Aarons

AFFIDAVIT OF LESLIE DAVID AARONS

I, LESLIE DAVID AARONS, a British Citizen, of Suffolk, United Kingdom, MAKE
OATH AND SAY as follows:

1. I am the person who mailed the application papers for the above-identified U.S. patent application, together with a copy of the application itself, to John Mullenger, which John Mullenger has subsequently refused to sign.
2. I am a Director and Company Secretary of EnLight Technologies, Ltd., a company incorporated under the laws of England and Wales and registered under No. 3577921, of Manor Farm, Home Farm Road, Ellingham Bungay, Suffolk, NR35 2EL, United Kingdom. I have full access to the records of EnLight Technologies Ltd., and am authorized to make this Affidavit on the company's behalf. Information given in this, my Affidavit, comes from my own knowledge and from the aforesaid records of the company, and I believe it to be true.
3. I am the father of David John Aarons, who is the co-inventor with John Mullenger of the invention in the US patent application identified above. David Aarons is also Managing Director of EnLight Technologies, Ltd.
4. A principal purpose of EnLight Technologies, Ltd. is the exploitation of the technology that is the subject of the aforesaid patent application. Hence, in my capacity as Director and Company Secretary, I have been closely involved in the process of obtaining patent protection for the technology. In particular, I have worked closely with Robert A. McLean of Dummett Copp, a UK chartered patent attorney, first in filing the UK patent application and then in filing the

corresponding international patent application and US patent application identified above.

5. Robert McLean provided David Aarons and myself with a copy of the US patent application and the application papers, and explained the reasons that the papers needed to be signed by all inventors. Robert McLean therefore asked us to coordinate with John Mullenger to obtain his signature on the papers as well as David's. Exhibit 1 now produced and shown to me is a copy of a letter that in my capacity as Company Secretary mailed to John Mullenger on 10 January 2000, which included a copy of the application and the documents to be signed by John Mullenger.
6. Exhibit 2 and Exhibit 3 now produced and shown to me are, respectively, copies of a Combined Declaration and Power of Attorney, and a Verified Statement Claiming Small Entity Status, both of which were enclosed with the aforementioned letter of 10 January 2000 for signature and dating by Mr. Mullenger, along with a copy of the specification, claims and drawings for the application.
7. On 20 January 2000, in my capacity as Company Secretary telephoned John Mullenger from the offices of EnLight Technologies Limited to ask if he had completed the aforementioned forms. John Mullenger told me that he had received the materials but had not signed the documents because he did not understand why his signature was needed at this stage. I suggested to John Mullenger that the patent attorney acting for us, Robert McLean, write with an explanation of why these forms had to be completed.
8. Exhibit 4 now produced and shown to me is a copy of a letter to John Mullenger dated 24 January 2000, written by Robert McLean, which explains why it is necessary for John Mullenger to sign and date the aforementioned forms.
9. On 26 January 2000, John Mullenger telephoned Robert McLean at the offices of Dummett Copp, and in this telephone conversation John Mullenger refused to sign the aforementioned documents.
10. Exhibit 5 now produced and shown to me is a copy of a letter sent by John Mullenger to myself, Leslie Aarons. The letter is dated 31 January 2000, and in the letter John Mullenger confirms that he will not sign the aforementioned forms. A corresponding letter, having the same date, was sent to Robert McLean. In neither letter does John Mullenger give any real reason for his refusal to sign the aforementioned forms.

11. I have received no communication from John Mullengr that would indicate that he has withdrawn his refusal to sign the application paper. It is therefore my understanding that his refusal to sign the papers continues as of the date of this statement.

Signed at _____, this _____ day of _____, 2000.

LESLIE DAVID AARONS
Co-Inventor

Sworn to and subscribed in my presence this _____ day of _____, 2000.

Notary Public in and for
the _____
Residing at _____
My Commission Expires: _____
